

REMARKS

Claims 1 and 4-10 are pending in the application and stand rejected. Despite the claim amendments submitted with the Amendment filed September 25, 2008, the Examiner continues to reject all of pending claims 1 and 4-10.

Interview Summary - Statement of Substance of Interview

Applicants thank the Examiner for granting the telephonic interviews of February 23, 2009 and March 3, 2009 with the undersigned. The rejection of claims 1 and 4-9 in view of Isaki, Gehman and Naito was discussed. The undersigned and Examiner agreed that amendment of the claims to clarify that the protective cap be “directly” attached to the ceramic wiring substrate would distinguish over the applied combination of Isaki in view of Gehman and Naito.

Claim Objection

The Examiner objected to claim 8 for an antecedent basis error with respect to the phrases “ceramic wiring substrate” and “ceramic dielectric layer” in lines 4 and 7, respectively.

Applicant submits the present amendment to claim 8 obviates this objection.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1 and 4-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Isaki (JP 9-021774) in further view of Gehman et al. (US 2005/0081603) and Naito et al. (US 2003/0188968).

Claim 1 recites, *inter alia*, a protective cap which is directly attached to the ceramic wiring substrate in such a manner as to cover the gas detection element.

In the rejection the Examiner relies on Isaki as disclosing a ceramic substrate on which the gas detection element is mounted and a cap 5 made of metal comprising ventilation holes attached a holding part 3. Gehman, on the other hand, only discloses the structure of a catching

part 112 of cover 110 and a groove portion 114 in order to connect cover 110 to the housing 102. Naito fails to disclose a protective cap.

However, the caps disclosed in Isaki and Gehman are not directly attached to the ceramic wiring substrate. Consequently, even if the references are combined as suggested, they fail to disclose “a protective cap which is directly attached to the ceramic wiring substrate in such a manner as to cover the gas detection element,” as recited in claim 1.

Thus, claim 1 is patentably distinguishable over the applied combination for at least this reason. Additionally, claims 4-9 are allowable, at least by virtue of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Isaki in view of Gole (US 6,893,892).

In response to this rejection, Applicant submits that because Gole, either taken alone or in combination with Isaki, Gehman and Naito, fails to remedy the above noted deficiencies of Isaki, Gehman and Naito as applied to claim 1, claim 10 is allowable, at least by virtue of its dependency.

Conclusion

Claims 1 and 4-10 are all the claims pending in the application.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/David P. Emery/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

David P. Emery
Registration No. 55,154

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 23, 2009